IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 8TH OCTOBER 2007 / 16TH ASWINA 1929

WP(C).No. 29771 of 2007(T)

PETITIONER:

SNEHALATHA,
SREEKRISHNA BHANAM, EVOOR NORTH,
CHEPPAD P.O., KARTHIKAPPALLY TALUK.

BY ADV. SRI.P.SREEKUMAR
SRI.K.S.MANU (PUNUKKONNOOR)

RESPONDENTS:
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1. THE MANAGING DIRECTOR, KSRTC,
THIRUVANANTHAPURAM.

2. MOTOR ACCIDENT CLAIMS TRIBUNAL,
MAVELIKARA.

BY SRI.K.PRABHAKARAN, SC, KSRTC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) NO. 29771 OF 2007 T

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Dated this the 8th day of October, 2007

J U D G M E N T

Ext.P1 is the award passed by the MACT, Mavelikkara awarding compensation to the petitioner. Out of the amount awarded, petitioner was permitted to withdraw Rs.30,000/- and the balance amount of Rs.90,692/- deposited by the KSRTC has been deposited in a Bank for five years. Pointing out her financial stringencies, petitioner sought withdrawal of the said amount and that has now been rejected by Ext.P3. It is seeking to quash Ext.P3, this writ petition has been filed.

2. Ext.P2 is an application filed by the petitioner which highlights her necessity for release of the amount. This has been rejected by the Tribunal by stating that the same is insufficient. If financial stringency is not sufficient to justify withdrawal, there cannot be any better reason. Therefore, I am not satisfied with the reasoning in Ext.P3.

Hence quashing Ext.P3 order of the Tribunal, this writ petition is disposed of directing that the petitioner will be permitted to withdraw the amount now available in the deposit in her name.

ANTONY DOMINIC, JUDGE.

Rp